



PATENTS
Application Serial No. 09/989,677
Confirmation No. 9718
Attorney Docket No. CKB-095.01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Dowling et al.)	
Application No:)	Art Unit: 2828
09/989,677)	
Filed: November 20, 2001)	Confirmation No.: 9718
For: INFORMATION SYSTEMS)	
)	Examiner: Haissa Philogene
)	

CERTIFICATE OF MAILING

I hereby certify that the following paper is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 3, 2006.

Christine Carroll

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. §1.78(a)(3) FOR ACCEPTANCE OF
UNINTENTIONALLY DELAYED CLAIM FOR PRIORITY UNDER 35 U.S.C. §120**

Sir/Madam:

Applicants hereby petition to amend a claim for priority under 35 U.S.C. §120 in the above-identified application.

An Amendment specifying the references required by 35 U.S.C. §120 and 37 CFR 1.78(a)(2) to the prior-filed U.S. applications for which a benefit is sought is enclosed herewith.

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A Statement explaining that this amended benefit claim is unintentionally delayed also is enclosed herewith. The Commissioner is hereby authorized to charge the surcharge of \$1370.00 as set forth in 37 C.F.R. 1.17(t), together with any further amount required for proper filing of this paper, to our Deposit Account No. 06-1448, Reference CKB-095.01.

An early and favorable action on this petition is earnestly solicited.

Respectfully submitted,

Date: January 3, 2006

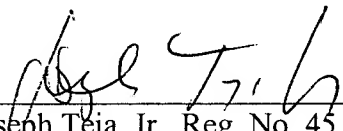
Customer No: 25181

Patent Group

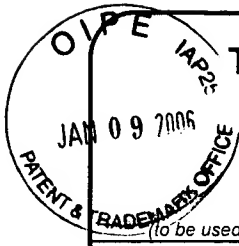
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	10	Application Number	09/989,677
		Filing Date	November 20, 2001
		First Named Inventor	Dowling et al.
		Art Unit	2828
		Examiner Name	Haissa Philogene
		Attorney Docket Number	CKB-095.01

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Supplemental Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input checked="" type="checkbox"/> Petition under 37 CFR 1.78(a)(3) for Acceptance of Unintentionally Delayed Claim for Priority Under 35 USC 120 <input checked="" type="checkbox"/> Statement Under 37 CFR 1.78(a)(3)(iii) <input checked="" type="checkbox"/> Return Receipt Postcard
<div style="border: 1px solid black; padding: 5px;"> Remarks </div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Foley Hoag LLP		
Signature			
Printed Name	Joseph Teja, Jr.		
Date	January 3, 2006	Reg. No.	45,157

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	SHIRINE DARWISH	Date	January 3, 2006



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Art Unit: 2828

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Chirine Darvish

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. 1.78(a)(3)(iii)

Sir/Madam:

In the above-identified application, the entire delay between the date that the priority claim was due, under 37 CFR 1.78(a)(2)(ii), to the reference(s) indicated in the attached Amendment, and today's date on which the claim is filed, was unintentional.

During a review of this application file pursuant to recent discussions with the Examiner following a response mailed November 2, 2005 to an Office Action mailed June 2, 2005, and pursuant to discussions with representatives of the current assignee of record (Color Kinetics, Inc.), the undersigned noted that the priority claim references listed in the "Cross Reference to Related Applications" section of the application as filed were

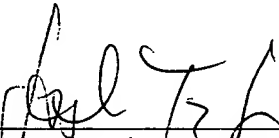
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incomplete. In view of the foregoing, Applicants have enclosed herewith a Petition Under 37 CFR 1.78(a)(3) for Acceptance of an Unintentionally Delayed Claim for Priority Under 35 U.S.C. §120, together with a Supplemental Amendment specifying the application(s) for which a benefit is sought, this statement that the amended benefit claim is unintentionally delayed, and the required surcharge.

Favorable consideration is requested.

Respectfully submitted,

Date: January 3, 2006
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